GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA

UNSTARRED QUESTION NO:3355
ANSWERED ON:22.03.2017
Jain Commission on Obsolete Laws
Yadav Shri Laxmi Narayan

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether several laws which were enacted before Independence are still prevalent in the country;
(b) if so, the details thereof;
(c) whether Jain Commission has made any recommendations in this regard;
(d) if so, the details thereof;
(e) the action taken so far on these recommendations; and
(f) whether the Government has reviewed the laws enacted before independence and if so, the details thereof and if not, the reasons therefor?

Answer

A N S W E R

MINISTER OF STATE FOR LAW AND JUSTICE AND ELECTRONICS AND INFORMATION TECHNOLOGY
(SHRI P. P. CHAUDHARY)

(a) to (f): A Statement is laid on the Table of the House.

Statement referred to in reply to parts (a) to (f) of the Lok Sabha Unstarred Question No. â€ 3355 to be answered on 22-03-2017 regarding "Jain Commission on Obsolete Laws".
(a) and (b): Yes, Madam. 274 Pre-Independence Acts are still in force.
(c) to (e): Yes, Madam. The P. C. Jain Commission has recommended for repeal of 1383 Acts in its report submitted in September, 1998. Out of which 415 Acts have been repealed till April, 2014.

(f): The 20th Law Commission was constituted for a period of three years from 1st September, 2012 to 31st August, 2015 and one of its terms of reference includes "review/repeal" of obsolete laws and the said Commission has submitted its 248th, 249th, 250th and the 251st Reports on "Obsolete Laws: Warranting Immediate Repeal", in which it recommended for repeal of 72, 113, 74 and 30 obsolete Acts respectively, including some State laws. Further, a Two-member Committee was also constituted by the Prime Minister"s Office on 1st September, 2014 for review of repeal of obsolete laws. The said Committee has submitted it"s Report, which has been examined by the Legislative Department.

Total Acts identified for repeal are 1824 and out of which 1175 Acts have been repealed so far through the Repealing and Amending Act, 2015 (17 of 2015), the Repealing and Amending (Second) Act, 2015 (19 of 2015), the Appropriation Acts (Repeal) Act, 2016 (22 of 2016) and Repealing and Amending Act, 2016 (23 of 2016). Two Acts have been repealed by the Finance Act, 2016 and one Act is included in the Finance Bill, 2017 for its repeal. Further, a Bill namely, the Repealing and Amending Bill, 2017 has been introduced in Lok Sabha on 09/02/2017, proposing to repeal 105 obsolete and redundant Acts and the said Bill is pending for consideration and passing in the Lok Sabha.

Further, the identification and review of all old and obsolete laws, including those enacted during the British era, with a view to bring them in harmony with the current economic, social and political situation in the country, is a continuous process.